

# Same-Sex Marriage - CalPERS Health Benefits FAQs

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## **Background**

On May 15, 2008, the California Supreme Court determined that the designation of marriage is available to both opposite-sex and same-sex couples. As a result, all Public Employees' Medical and Hospital Care Act (PEMHCA) covered employers will therefore be required to accept valid marriage certificates for same-sex couples issued in the State of California after 5:00 p.m. (Pacific time) on June 16, 2008. The marriage certificate will be used to confirm marital status in order to enroll an eligible same-sex spouse and eligible dependent children, if any, into the CalPERS Health Program.

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## **Can a person add their new same-sex spouse and eligible dependent children to their CalPERS Health Benefits plan?**

Yes, a person may add a new same-sex spouse and eligible dependent children to their health enrollment within 60 days from their marriage date. The effective date will be the first day of the month following the receipt of all required documentation.

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## **Can a person add their new same-sex spouse and eligible dependent children to their State-Sponsored Dental plan?**

The State-Sponsored dental plan is administered by the Department of Personnel Administration. Questions regarding the eligibility and enrollment of a same-sex spouse and dependent children in the State-Sponsored dental plan should be directed to the Department of Personnel Administration.

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## **What supporting documentation is required to add a new same-sex spouse to their health plan enrollment?**

### **Active employees:**

Complete and submit a HBD-12, Health Benefits Plan Enrollment form to their Health Benefit Officer along with a copy of their marriage certificate. The HBD-12 should include the social security number of the new spouse and any eligible dependent children, date of birth, and gender of all new enrollees. A copy of the children's birth certificate for each eligible dependent child may also be requested. A daytime telephone number should be included.

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## Same-Sex Marriage - CalPERS Health Benefits FAQs, Continued

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**What supporting documentation is required to add a new same-sex spouse to their health plan enrollment?**  
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**Retirees:**

Submit a written request to CalPERS to add the same-sex spouse, along with a copy of their marriage certificate. The request should include the social security number of the new spouse and any eligible dependent children, date of birth, gender, and Medicare card, if applicable of all new enrollees. A copy of the children's birth certificate for each eligible dependent child may also be requested. A daytime telephone number should be included.

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**Where should the enrollment request and supporting documentation be submitted?**

**Active employees:**

The completed paperwork and supporting documentation should be submitted to their designated Health Benefits Officer.

**Retirees:**

Submit a written enrollment request and supporting documentation to:

CalPERS, Employer and Member Health Services Division.

P.O. Box 942714

Sacramento, CA 94229-2714

Fax to: (916) 795-3198

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**How long will it take for my same-sex spouse to receive their identification card from the health plan?**

The new same-sex spouse should receive his or her identification card in approximately 45 days. If he or she does not receive their identification card, or needs to obtain medical or prescription services before their card arrives please contact the health plan's Member Services Department.

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**What if a person's new same-sex spouse and eligible dependent children are already enrolled as a domestic partner and family members on their health enrollment?**

The employee or retiree will be required to submit a copy of their marriage certificate to their employer, or CalPERS if retired. The relationship status of the parties and eligible dependent children will be changed to the appropriate relationship status.

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## Same-Sex Marriage - CalPERS Health Benefits FAQs, Continued

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**Can a person who marries a same-sex spouse outside the state of California add their new same-sex spouse or eligible dependent children?**

A valid same-sex marriage performed outside California is valid inside this state. As a result, a person who validly marries a same-sex spouse outside California may enroll their spouse and eligible dependent children to their health plan enrollment. Submit your enrollment request and a copy of your marriage certificate, to your employer, or CalPERS if you are retired.

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**What if the November 2008 election overturns the same-sex marriage law in California?**

Please consult your personal attorney for further advice.

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**Are there tax implications to add my new same-sex spouse to my health plan?**

Please consult a tax consultant to determine the impact to your personal tax obligation.

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